

Message Text

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ACTION AF-10

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C O N F I D E N T I A L LAGOS 6347

E.O. 11652: GDS
TAGS: CASC, EFIN, NI (LEFEVRE, LOUIS)
SUBJECT: LEFEVRE CASE

REF: (A) LAGOS 5713, (B) LAGOS 6192

1. AS FOLLOW-UP TO REFTEL A, EMBASSY OFFICER MET WITH INSPECTOR GENERAL YSUF MAY 19. YUSUF SAID HE HAD LOOKED INTO THE CURRENT STATUS OF THE LEFEVRE CASE AND FOUND THAT, AT THE LAST HEARING, THE CID HAD ASKED FOR A FEW DAYS POSTPONEMENT TO FINISH THEIR INVESTIGATIONS. THE MAGISTRATE CONTINUED THE CASE UNTIL JUNE 23 BECAUSE OF HIS LEAVE PLANS. CID HAD WANTED TO CHECK EGBE'S BANK RECORDS TO DETERMINE IF HE HAD USED ALL OR PART OF THE NAIRA 450,000 IN QUESTION FOR PURPOSES OTHER THAN AS CLAIMED BY EGBE. THIS MIGHT PROVIDE THEM WITH EVIDENCE OF CRIMINAL ACTS OR INTENT. CID HAD BEEN HAVING DIFFICULTY GAINING THE COOPERATION OF THE BANKS TO LET THEM SEE THE RECORDS. HENCE THEIR NEED FOR THE POSTPONEMENT. YUSUF SAID CID HAD NOW OBTAINED ALL THE INFORMATION THEY NEEDED, BUT HE DID NOT STATE THE RESULTS OF THEIR FINDINGS.

2. YUSUF WAS TOLD IN CONFIDENCE THAT TWO OFFICIALS OF LEFEVRE'S COMPANY WERE SOON COMING TO LAGS AND THAT AN AIIC BOARD MEETING WAS TO TAKE PLACE DURING THE WEEK OF MAY 21 TO RATIFY THE NAIRA 450,000 LOAN. EMBASSY OFFICER
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ASKED YUSUF IF THAT WOULD AFFECT ANY CRIMINAL PROCEEDINGS. YUSUF PONDERED AND SAID IT WAS POSSIBLE THAT SUCH AN ACTION MIGHT CAUSE THE CASE TO BE DISMISSED AT THE JUNE 23 HEARING.

3. IF LEFEVRE WENT TO A MAGISTRATE FOR THE RETURN OF HIS PASSPORT AND PERMISSION TO LEAVE THE COUNTRY, IT WAS YUSUF'S OPINION THAT THE CID WOULD NOT OPPOSE IT PROVIDED THERE WAS

ADEQUATE ASSURANCE THAT LEFEVRE WOULD RETURN IF NEEDED. IN RESPONSE TO A QUESTION, YUSUF SAID THE POLICE WOULD FAVOR THE USE OF DEPOSITION PROCEEDINGS OR SWORN STATEMENTS IN LIEU OF A PERSONAL APPEARANCE BY LEFEVRE SHOULD THE LATTER BE GRANTED PERMISSION TO LEAVE NIGERIA. YUSUF, HOWEVER, DID NOT KNOW IF THIS WAS LEGALLY ACCEPTABLE IN NIGERIA. THE QUESTION HAD BEEN RAISED BEFORE AND HAS BEEN UNDER STUDY FOR THE LAST 12 MONTHS BUT YUSUF DID NOT KNOW

IF THERE WAS A DECISION ON THE ISSUE. THE POLICE AND THE CHIEF JUSTICE FAVORED SUCH A PROCEDURE.

4. YUSUF'S POSITION IN THE LEFEVRE CASE (IN THE NIGERIAN VIEW IT IS THE EGBE CASE) IS TO STAY AS REMOVED FROM IT AS POSSIBLE. HE HAS STRONG PERSONAL VIEWS AGAINST EGBE AND IN FAIRNESS WANTS TO LET THE CASE PROCEED THROUGH THE STANDARD CHANNELS. HE WOULD STEP IN ONLY IF HE HAD HARD EVIDENCE OF EGBE BRIBING A POLICE OFFICER. IN ADDITION THERE ARE POLITICAL OVERTONES TO THE CASE THAT ARE DISTASTEFUL TO YUSUF. THOUGH THERE ARE NO LONGER PRESSURES FROM THE MINISTRY OF TRADE BECAUSE OF THE TRANSFER OF PERSONNEL FROM THERE, THERE CONTINUE TO BE MANY WHO WANT THE CASE RESOLVED ONE WAY OR THE OTHER. YUSUF SAID HE, TOO, WILL BE GLAD WHEN IT IS OVER.

5. COMMENT: YUSUF HAS BEEN FRIENDLY AND OPEN TO THE EMBASSY
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FOR A NUMBER OF YEARS; HENCE HIS CANDOR. WE SHOULD NOT, HOWEVER, CONFUSE HIS FRIENDLINESS WITH ANY WILLINGNESS ON HIS PART TO QUASH THE CASE. WE HAVE BEEN CAREFUL TO AVOID GIVING ANY APPEARANCE OF WANTING TO INTERFERE IN THE NIGERIAN LEGAL PROCESS. NEVERTHELESS, OUR INTEREST IN INFORMATION AND ADVICE FROM YUSUF IS A FORM OF PRESSURE WHICH COULD POSSIBLY PROVE HELPFUL TO LEFEVRE.

6. IT IS EVEN MORE OBVIOUS AFTER THIS LAST CONVERSATION WITH YUSUF THAT THE BEST HOPE OF EXTRACTING LEFEVRE FROM NIGERIA LIES IN AN APPROACH TO THE ATTORNEY GENERAL (REFTEL B) OR A REQUEST TO A MAGISTRATE FOR PERMISSION TO LEAVE THE COUNTRY. WE WILL POINT THIS OUT TO ABOUZEID AND BROWER WHEN THEY DISCUSS CASE WITH US.
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